Case 1:12-cv-02656-AJN Document 49 Filed 05/15/12 Page 1

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CLUB TEXTING, INC., on behalf of itself and all others similarly situated,

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS, AT&T MOBILITY, LLC, SPRINT NEXTEL CORPORATION, T-MOBILE USA, INC., U.S. CELLULAR CORPORATION, CTIA—THE WIRELESS ASSOCIATION, CLEARSKY MOBILE MEDIA, INC., ERICSSON IPX, MBLOX INCORPORATED, SYBASE, INC., SOUNDBITE COMMUNICATIONS, INC., SYNIVERSE TECHNOLOGIES, INC., UPOC NETWORKS, INC., VIBES MEDIA, 3CINTERACTIVE, L.L.C., And WMC GLOBAL, INC.,

Defendants.

Case No. 1:12-cv-02656-AJN

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Rule 1.3 of the Local Rules of the United States Courts for the Southern and Eastern Districts of New York, I David F. Smutny, hereby move this Court for an Order for admission to practice Pro Hac Vice to appear as counsel for MBLOX INCORPORATED in the above-captioned action.

I am in good standing of the bar(s) of the State of Illinois and the District of Columbia and there are no pending disciplinary proceedings against me in any state or federal court.

Dated: May 15, 2012

Respectfully Submitted,

David F. Smutny

ORRICK, HERRINGTON & SUTCLIFFE LLP

Columbia Center

1152 15th Street, N.W.

Washington, D.C. 20005

Telephone: (202) 339-8400

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dsmutny@orrick.com

Certificate of Admission To the Bar of Illinois

I, Carolyn Taft Grosboll, Clerk of the Supreme Court of Illinois, do hereby certify that

David Forrest Smutny

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 8, 1990 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto placed my hand and affixed the seal of said Supreme Court, at Springfield, in said State, this Monday, April 30, 2012.

Carolyn Toff Grosboll

Clerk



District of Columbia Court of Appeals Committee on Admissions 430 F Street, N.W. — Room 123 Mushington, A. C. 20001 202/879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that

DAVID F. SMUINY			
was on the	7 TH day of	DECEMBER, 1992	
duly qualifie	d and admitted a	es an attorney and counselor enti	tled to
practice befo	re this Court an	nd is, on the date indicated belo	ow, an
active memb	er in good standi	ing of this Bar.	

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on April 26, 2012.

JULIO A. CASTILLO Clerk of the Court

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CLUB TEXTING, INC., on behalf of itself and all others similarly situated,

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS, AT&T MOBILITY, LLC, SPRINT
NEXTEL CORPORATION, T-MOBILE USA,
INC., U.S. CELLULAR CORPORATION, CTIA—
THE WIRELESS ASSOCIATION, CLEARSKY
MOBILE MEDIA, INC., ERICSSON IPX, MBLOX
INCORPORATED, SYBASE, INC., SOUNDBITE
COMMUNICATIONS, INC., SYNIVERSE
TECHNOLOGIES, INC., UPOC NETWORKS,
INC., VIBES MEDIA, 3CINTERACTIVE, L.L.C.,
And WMC GLOBAL, INC.,

Defendants.

Case No. 1:12-cv-02656-AJN

ORDER FOR ADMISSION PRO HAC VICE

The motion of David F. Smutny, for admission to practice Pro Hac Vice in the above captioned action is granted.

Applicant has declared that he is a member in good standing of the bars of the state of Florida and the District of Columbia; and that his contact information is as follows:

Applicant's Name:

David Smutny

Firm Name:

Orrick, Herrington & Sutcliffe LLP

Address:

Columbia Center, 1152 15th St., N.W.

City/State/Zip:

Washington, D.C. 20005

Telephone/Fax:

Tel. (202) 339-8400; Fax (202) 339-8500

Applicant having requested admission Pro Hac Vice to appear for all purposes as counsel for Defendant MBLOX INCORPORATED in the above entitled action;

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IT IS HEREBY ORDERED that Applicant is admitted to practice Pro Hac Vice in the above captioned case in the United States District Court for the Southern District of New York.

All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

Dated: <u>May</u>, 2012

United States District/Magistrate Judge

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CLUB TEXTING, INC., on behalf of itself and all others similarly situated,

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS, AT&T MOBILITY, LLC, SPRINT NEXTEL CORPORATION, T-MOBILE USA, INC., U.S. CELLULAR CORPORATION, CTIA—THE WIRELESS ASSOCIATION, CLEARSKY MOBILE MEDIA, INC., ERICSSON IPX, MBLOX INCORPORATED, SYBASE, INC., SOUNDBITE COMMUNICATIONS, INC., SYNIVERSE TECHNOLOGIES, INC., UPOC NETWORKS, INC., VIBES MEDIA, 3CINTERACTIVE, L.L.C., And WMC GLOBAL, INC.,

Case No. 1:12-cv-02656-AJN

DECLARATION OF SERVICE

Narae Lee hereby declares as follows:

- 1. I am not a party to the above case, am over eighteen years old, and am employed by Orrick, Herrington & Sutcliffe LLP, 51 West 52nd Street, New York, New York 10019.
- 2. On May 15, 2012, I served the Motion to Admit David F. Smutny Pro Hac Vice, by placing a true and correct copy thereof in postage prepaid envelopes, for first class mail delivery, in an official depository under the exclusive care and custody of the U.S. Postal Service within the State of New York, on counsel to all parties listed below.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York

May 15, 2012

Narae Lee

TO:

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